

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STANLEY BURTON,

Plaintiff,

V.

LAILA DARBY, et al.,

Defendants.

No. 2:23-cv-3034 KJM AC PS

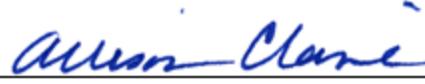
FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). Plaintiff filed this case against the Sacramento Housing and Redevelopment Agency (“SHRA”) and two individual defendants, Laila Darby and Ibra Henley. ECF No. 1. Plaintiff and defendant SHRA appeared before the court on February 5, 2025, for a scheduling conference. In SHRA’s scheduling report, it notified the court and plaintiff that the individual defendants were no longer employed by SHRA and that SHRA could not, and did not, accept service on their behalf. ECF No. 30. Plaintiff provided only SHRA’s address for the individual defendants and accordingly, defendants Darby and Henley have not been served. The undersigned discussed the matter with the parties in open court. Plaintiff was notified that the undersigned intended to recommend that Darby and Henley be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m) for failure to complete service. Plaintiff stated on the record that he did not object to this course of action.

1 Accordingly, IT IS HEREBY RECOMMENDED that defendants Laila Darby and Ibra
2 Henley be dismissed from this case without prejudice for failure of service in accordance with
3 Fed. R. Civ. P. 4(m).

4 These findings and recommendations are submitted to the United States District Judge
5 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one (21)
6 days after being served with these findings and recommendations, plaintiff may file written
7 objections with the court. Such document should be captioned “Objections to Magistrate Judge’s
8 Findings and Recommendations.” Local Rule 304(d). Plaintiff is advised that failure to file
9 objections within the specified time may waive the right to appeal the District Court’s order.
10 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 DATED: February 6, 2025

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13 ALLISON CLAIRE
14 UNITED STATES MAGISTRATE JUDGE

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